



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,119	12/02/2003	Rong-Fen Chen		2813

7590  
Rong-Fen Chen  
P.O. BOX 2103  
Taichung,  
TAIWAN

EXAMINER

SINGH, ARTI R

ART UNIT PAPER NUMBER

1771

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/725,119

Applicant(s)

CHEN, RONG-FEN

Examiner

Ms. Arti Singh

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0213959 A1 issued to Chiang.

Chiang discloses a textile fabric a textile fabric, which is soft, elastic, and water proof, and practical for use to make luggage, bags, and shoes [0009]. According to the present invention, the textile fabric comprises a fabric base layer and a back coating layer. The fabric base layer is made from nylon or polyester, having a front side and a back side. The back coating

layer has a bonding side bonded to the back side of the fabric base layer, and a back body side. The back coating layer is prepared from TPU (thermoplastic polyurethane), PS (polystyrene), EVA (ethylene vinyl acetate), processing oil, plastics, and additives subject to a predetermined formula [0010]. A bonding layer may be selectively used and bonded between the fabric base layer and the back coating layer. The bonding layer has a first side bonded to the back side of the fabric base layer, and a second side bonded to the bonding side of the back coating layer. Preferably, the bonding layer is prepared from PMMA (polymethyl methacrylate), viscosity index improver, additives, and toluene [0011] Comparing to conventional methods, the invention uses TPU (thermoplastic polyurethane), PS (polystyrene) and EVA (ethylene vinyl acetate) to substitute for polyvinyl chloride, reducing

Art Unit: 1771

possible pollution to environment. Further, the back coating layer prepared from the aforesaid materials is soft and elastic, not easy to wrinkle, and more particularly, water proof. When using the textile fabric to make luggage, bags, shoes, etc., either the fabric base layer or the back coating layer can be exposed to the outside [0012]. A bonding layer 20 may be selectively provided between the fabric base layer 10 and the back coating layer 30. The bonding layer 20 has a first side 202 and a second side 204. The first side 202 is bonded to the back side 104 of the fabric base layer 10. The bonding layer 20 may be prepared by means of one of various known processing methods and subject to one of various known formulas. Preferably, the bonding layer 20 is prepared from PMMA (polymethyl methacrylate), viscosity index improver, additives, and toluene. The back coating layer 30 has a bonding side 302 and a back body side 304. If the aforesaid bonding layer 20 is not used, the bonding side 302 is bonded to the back side 104 of the fabric base layer 10. In case the aforesaid bonding layer 20 is used, the bonding side 302 is bonded to the second side 204 of the bonding layer 20. The material for the back coating layer 30 is prepared from TPU (thermoplastic polyurethane), PS (polystyrene), EVA (ethylene vinyl acetate), processing oil (long chain dihydric alcohols, short chain dihydric alcohols), plastics, and additives subject to a predetermined proportion, and then applied to the fabric base layer 10 (or applied to the bonding layer 20 if the bonding layer 20 is used) by means of any of a variety of processing methods and therefore a skilled artisan would have found it obvious at the time the invention was made to have employed the method of thermal compression (rollers), motivated by the reasoned expectation that it is the most common form of adhering two layers together and the cheapest. When using the textile fabric 1 to make luggage, bags, shoes, etc., the front side 102 of the fabric base layer 10 or the back body side 304 of the back coating layer 30 can be exposed to the outside. Referring to FIG. 2, the fabrication of the textile fabric 1

Art Unit: 1771

includes the steps of material preparation, bonding layer processing, back coating processing, bonding and embossing, and finished product roll-up. The steps of material preparation, bonding and embossing, and finished product roll-up are similar to the conventional textile fabric fabrication methods. The steps of bonding layer processing and back coating processing are outlined hereinafter. As shown in FIG. 3A, a continuous sheet of fabric 401 (i.e., the aforesaid fabric base layer) is delivered over applicator wheels 402 that apply a bonding agent 403 to one side of the fabric 401, and at the same time scrappers 402a remove excessive bonding agent 403 from the periphery of the applicator wheels 402. The bonding agent coated fabric 401 is then delivered through a baking oven 404 and dried, and then the well dried bonding agent coated fabric 401 is rolled up for further use [0021-0022].

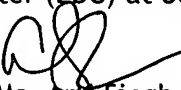
The only limitation not explicitly taught by the Chiang reference is that of the printed matter. However, it is the position of the Examiner that applying printed matter to any layer which does not materially alter the final product are merely intended to convey aesthetically pleasing information or patterns, and thus is not given patentable weight. Therefore a skilled artisan would have found it obvious to have applied a printed design to any of the visible layers of the final product motivated by the reasoned expectation of providing an article that conveyed information or was pleasing to the eye.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-F 9-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1771

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ms. Arti Singh  
Primary Examiner  
Art Unit 1771

Ars 06/13/05